

**CITIZENS' COMMISSION ON
JAIL VIOLENCE**

**EXECUTIVE SUMMARY
TWELFTH REPORT
OF THE IMPLEMENTATION MONITOR
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TWELFTH REPORT OF THE IMPLEMENTATION MONITOR

EXECUTIVE SUMMARY

INTRODUCTION

Since submitting my Eleventh Report on January 14, 2014, I met with the new Interim Sheriff John Scott to review the status of the Department's implementation of the Commission's recommendations and with the Assistant Sheriff for Custody Operations to discuss the management and oversight of Custody Operations. I also met with other senior management to discuss the implementation of the Commission's remaining recommendations, confirm the Department's continued adherence to the Commission's recommendations, and discuss the Inspectional Services Command ("ISC"). I also attended a demonstration of a newly installed body scanner, reviewed the Department's use of force statistics, and met with the Inspector General to discuss the staffing, funding, and functions of the Office of Inspector General.

During this period, the Department implemented two more of the Commission's recommendations. The Department completed its revamping of the investigative and disciplinary system (Recommendation 7.1) and Administrative Investigations of force incidents in the jails will no longer be conducted by Deputies' supervisors. (Recommendation 7.9.)

The Department has completed its assessment of the operational needs of its jails (Recommendation 4.11) and is seeking the CEO's approval for additional clerical staff to take over administrative responsibilities that deputies and Custody Assistants now handle. The Department is also working with the CEO to obtain a classification for the auditor position in ISC. (Recommendation 4.12.) It also has installed two body scanners in the Inmate Reception Center that should be operational in March. (Recommendation 3.12).

As reflected in the summary chart set forth below, the Department has implemented 45 of the Commission's 60 recommendations; partially implemented another 10 recommendations and is in the process of implementing another five recommendations.¹

Category	Implemented	Partially Implemented	In progress	Total	Funding Approved
Use of Force	10	0	2	12	2
Management	12	0	2	14	1
Culture	5	3	0	8	3
Personnel/ Training	5	5	0	10	3
Discipline	12	2	1	15	5
Oversight	1	0	0	1	0
Total	45	10	5	60	14

Sheriff Scott advised me that he is considering a reorganization of the Department that differs in some respects from the Commission's recommendations that were implemented by Sheriff Baca. (See Recommendations 4.6 and 7.5.) The Commission's recommendations reflect its assessment of Sheriff Baca's oversight of the Department's Custody Operations and the role of the Undersheriff in managing the Department. (See Recommendations 4.1 and 4.3). The recommendations were not necessarily intended as a fixed blueprint for the organization of the Department as long as it has an Assistant Sheriff with corrections or custody experience who is responsible for the management of Custody Operations only. (See Recommendations 4.4, 4.5.)

¹ The Appendix attached to this summary reflects the implementation of each of the recommendations as of the dates of my prior reports to the Board.

USE OF FORCE

On January 1, 2013, the Department promulgated a new Use of Force Policy and distributed to each Deputy Sheriff and Custody Assistant a comprehensive Use of Force Manual (the “Force Manual”) relating to the use and reporting of force by Department personnel. The Department’s revised Force Manual was published on July 22, 2013. It is available in electronic form and Department personnel will be notified electronically whenever there is an update or revision of any of the policies, procedures and provisions in the Force Manual.

The Department has now assigned Compliance Lieutenants to each jail to analyze inmate grievances about use of force. The Department is now able to track inmate grievances by deputies’ names in the Personnel Performance Index (PPI), and it is in the process of further upgrading the Department’s data tracking system. Finally, the Department has installed two body scanners in the Inmate Reception Center that should be operational next month.

MANAGEMENT

Sheriff Baca extensively reorganized the management of the Department with four Assistant Sheriffs responsible for overseeing Custody Operations, Patrol Operations, Countywide Services, and Administration & Professional Standards reporting directly to the Sheriff. In addition, he appointed a Chief of Staff and a Chief of a new Internal Investigations Division, who also reported directly to him.

Sheriff Scott is considering a reorganization of the Department that will include the appointment of an Executive Officer who will report directly to him. The four Assistant Sheriffs will report to the Sheriff through the Executive Officer. Under the proposed reorganization, the Chief of Staff, Legal Advisory Unit and Inspectional Services Command will also report directly to the Sheriff, while the Internal Investigations Division (which includes the Internal Affairs

Bureau), the Internal Criminal Investigations Bureau, and the Sheriff's Headquarters Bureau will report to the Executive Officer.

Following the Commission's recommendation, Sheriff Baca appointed Terri McDonald to be the Assistant Sheriff responsible for the Department's Custody Operations. She has reorganized the Custody Division into a Custody Services Division – General Population and a Custody Services Division – Specialized Programs under Chiefs who report directly to her and they are actively managing Custody Operations. The four high level managers who directly or indirectly had supervision over the jails during the periods reviewed by the Commission have now all left the Department and there is an entirely new team running Custody Operations.

The Department has assigned a Commander and a Captain to oversee the new ISC and it is in the process of assigning sworn personnel to the command and working with the CEO to obtain the necessary classification for the civilian auditor position.

CULTURE

Under Sheriff Baca, the Department emphasized respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings, and Sheriff Scott is committed to continuing the Department's reforms. The Department has enhanced the training of new Custody Division personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques, and it is in the process of establishing a Custody Training & Standards Bureau that will provide additional training to current Custody deputies and Custody Assistants. It also established a Dual Track Career Path to provide deputies with an opportunity for a career in Custody Operations, and it recently promoted several deputies in Custody to be sergeants in Custody. The Department has also enhanced the penalty guidelines for dishonesty to further address the culture problems identified

by the Commission. Finally, each facility has developed a rotation policy taking into consideration its size, configuration, and inmate population.

PERSONNEL AND TRAINING

The Board has now approved the initial funding for the creation of a Custody Training & Standards Bureau that will develop a robust post-Academy training program for both new and existing Custody personnel. The Department has assigned 17 of the 19 newly authorized positions in the bureau, including all of the sworn personnel.

The Board also approved funding for 44 new supervisors in fiscal year 2013-14. The Department filled the 42 newly authorized sergeant positions and assigned two additional lieutenants to Custody Operations. The Department also has increased the ratio of Custody Assistants to Deputy Sheriffs to achieve the agreed upon 65/35 ratio. The Department conducted an analysis of what other Deputy Sheriff positions may be handled by Custody Assistants, and it concluded that only a limited number of additional positions may be handled by Custody Assistants without impairing the safety and security of the jail facilities.

DISCIPLINE

The Department has revamped its investigative and disciplinary system so that all Administrative Investigations of Category 1 force incidents will be handled by the new Compliance Lieutenants and the Administrative Investigation of Category 2 force incidents in Custody Operations will be handled by the Internal Affairs Bureau ("IAB"). Sheriff Baca created an Internal Investigations Division and appointed a Chief of the Division to oversee IAB and the Internal Criminal Investigations Bureau ("ICIB") and to report directly to him. Sheriff Scott is contemplating a reorganization in which IAB, but not ICIB, would remain in the Internal

Investigations Division and the Chief of the division and the Captain in charge of ICIB would both report directly to the Executive Officer.

The Department also has enhanced the penalties for dishonesty and excessive force, and the Custody Force Review Committee is rigorously reviewing Use of Force Packages. In addition, the Force Manual has now been revised to clarify the policies with respect to the review of videotaped footage and the separation of deputies involved in force incidents.

The Department has now assigned the six Compliance Lieutenants to the facilities, all of the newly authorized positions to the Internal Investigations Division, and all of the newly authorized sworn positions to IAB and ICIB. The Department is working to enhance the inmate grievance process, including using IPADS to electronically track the handling of grievances, and it is in the process of acquiring and installing additional fixed cameras in lieu of lapel cameras as follows:

Facility	Number of cameras	Installation Completed	Network Online and operational
MCJ	238	August 2014	December 2014
TTCF	96	November 2014	December 2014
IRC	20	December 2014	December 2014
CRDF	491	December 2015	December 2015

LOOKING FORWARD

The Department has assigned most of the personnel authorized by the Board to enhance training, supervision, and the investigative system in Custody Operations, although it still needs additional personnel in these areas for which it will need funding, and it is still in the process of creating the ISC. The Department's implementation of the remaining recommendations and its continued adherence to the Commission's recommendations must be closely monitored by the Inspector General once the Office of Inspector General is fully staffed.

APPENDIX

IMPLEMENTATION COMPARISON

	IMPLEMENTED	PARTIAL	IN PROGRESS	NOT STARTED
Second Report January 22, 2013	20	11	27	2
Third Report February 12, 2013	25	16	17	2
Fourth Report March 12, 2013	28	17	13	2
Fifth Report April 9, 2013	31	15	14	0
Sixth Report May 14, 2013	31	17	12	0
Seventh Report July 10, 2013	37	11	12	0

IMPLEMENTATION COMPARISON

	IMPLEMENTED	PARTIAL	IN PROGRESS	NOT STARTED
Eighth Report August 13, 2013	37	11	12	0
Ninth Report September 10, 2013	39	10	11	0
Tenth Report November 12, 2013	43	12	5	0
Eleventh Report January 14, 2014	43	12	5	0
Twelfth Report February 11, 2014	45	10	5	0